

LOTTED AND SERVED  
U.S. MAILING OFFICE

APR 06 2009

E-A-T-C-H-E-D

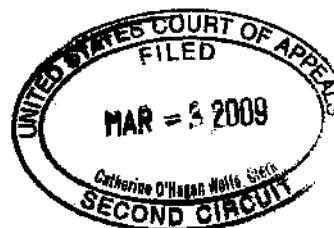
E.D.N.Y. - C. Islip  
05-cv-1861  
Seybert, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 3<sup>rd</sup> day of March, two thousand nine,

Present:

Hon. Reena Raggi,  
Hon. Peter W. Hall,  
*Circuit Judges,*  
Hon. Gerard E. Lynch,  
*District Judge.*



M.D. Michael Wang,  
*Plaintiff-Appellant,*

v.

08-4951-cv

United States Medical License Examination  
Secretariat,  
*Defendant-Appellee.*

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See 28 U.S.C. § 1915(e)(2)(B); Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk  
by Catherine Phalen  
DEPUTY CLERK

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

By: Jamie L. Peay

\*The Honorable Gerard E. Lynch, of the United States District Court for the Southern District of New York, sitting by designation.

SAO-AB

Issued as Mandate.

MAR 25 2009